

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
[Previously Shelby Division]

CRIMINAL CASE NO. 4:96cr53-13

UNITED STATES OF AMERICA,)
)
)
)
 vs.)
)
)
TONY HOEY.)
)
)

O R D E R

THIS MATTER is before the Court on the Defendant's Request to Proceed *in Forma Pauperis* [Doc. 668] and his Motion to Reconsider Petitioner's Request for a Sentence Reduction pursuant to 18 U.S.C. §3582(c)(2) [Doc. 680].

In his first motion the Defendant apparently seeks the appointment of counsel. This motion is moot because on February 15, 2012 Attorney Ross Richardson appeared as counsel for the Defendant. [Doc. 672].

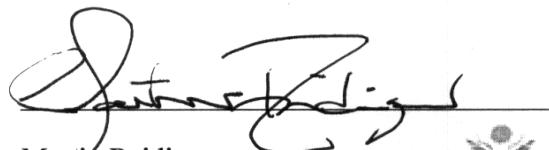
As to the second motion, neither the federal statutes nor the Rules of Criminal and Appellate Procedure provide for a motion for reconsideration in a criminal case. United States v. Joseph, 455 F. App'x. 341 (4th Cir. 2011).

IT IS, THEREFORE, ORDERED that the Defendant's Request to

Proceed *in Forma Pauperis* [Doc. 668] is hereby **DENIED** as moot.

IT IS FURTHER ORDERED that the Defendant's Motion to Reconsider Petitioner's Request for a Sentence Reduction pursuant to 18 U.S.C. §3582(c)(2) [Doc. 680] is hereby **DENIED**.

Signed: August 2, 2012



Martin Reidinger
United States District Judge

